

# **FREQUENTLY ASKED QUESTIONS CONCERNING RELOCATION OF STRUCTURES**

## **CAN MY STRUCTURE OR HOUSE BE RELOCATED?**

In some cases, private ocean-front properties that have improvements, such as a house, that compromise the proposed dune template may be eligible for relocation on the existing parcel instead of an outright fee acquisition (purchase). Many variables need to be considered in order to ascertain if relocation is possible. Although relocations to an offsite parcel will generally not be permissible, if the offsite parcel is contiguous to the subject parcel, the Government will make that determination on a case by case basis.

## **WHEN WILL I LEARN IF MY STRUCTURE WILL BE CONSIDERED FOR RELOCATION?**

Surveys have been completed and are currently being reviewed by engineers for the County, State and the U.S. Army Corps of Engineers (“Corps”) to ascertain if a parcel listed as a fee acquisition in the Corps’ plan contains a structure that may be relocated or moved in a northerly direction in order to remove any encroachment in the dune area. This preliminary review generally looks to ascertain if relocation of the structure appears to be a possibility. If it is considered a possibility, a County representative will contact the property owner and ask if he or she is interested in pursuing relocation of the structure.

## **IS RELOCATION MANDATORY OR VOLUNTARY?**

Relocation is completely voluntary on the part of the property owner. If relocation is not desired by the property owner or if the structure is not capable of being relocated, then the County will seek to acquire fee simple ownership of the entire parcel.

## **WHAT IF I AM INTERESTED IN RELOCATION?**

If you have indicated your desire to be considered for relocation, the real estate specialist assigned to work with you will send you a Relocation Agreement indicating your desire to pursue relocation and to cooperate with the County in connection with the filing of local building permits and, if necessary variance applications. The Relocation

Agreement is necessary because the County will expend financial resources in order to pursue the relocation option.

## WHAT DOES THE RELOCATION PROCESS ENTAIL?

Once the Relocation Agreement is signed by the property owner, the County will retain Architectural and Engineering Services (“A/E”) to prepare relocation plans, specifications and permit applications for all relocation properties. These plans will take into account all aspects of the relocation, including moving of septic systems and other utilities. Once the plans are finalized and if relocation continues to be a viable option, the A/E firm will prepare, on behalf of the property owner, the necessary permit application to be filed with your local building department. The County will work with the property owner at all stages of the application process in the role of expeditor.

## WHO WILL PAY FOR EXPENSES INCURRED IN CONNECTION WITH RELOCATION?

The Government will pay for all expenses incurred in connection with relocation, including but not limited to, application fees. If however, the property owner changes his or her mind after expenses have been incurred and decides he or she wants the property to be purchased outright, the Relocation Agreement will provide that the Government be reimbursed for the expenditures already made. The property owner may ask that the amount of the expenditures incurred by the Government be deducted from the offer of just compensation. Reimbursement by the property owner will not be required if it is determined by either the County or local zoning agency that relocation is not possible.

## WHAT IF MY APPLICATION FOR A BUILDING PERMIT IS DENIED BECAUSE I NEED A ZONING VARIANCE?

It is very possible that applications for building permits may be denied in the first instance because a zoning variance may be needed, for example where the structure may be closer to the property line than current zoning code permits. In such an instance, the County will work with the property owner to request a variance from the applicable Town Zoning Board of Appeals. If the permit or variance is granted, the appraisal will be modified to reflect acquisition of a perpetual easement on the existing parcel based upon the approved plans. If the permit or variance is denied, the County will seek to acquire the full fee interest of the parcel ( i.e. purchase the property).

## IF MY HOUSE CAN BE RELOCATED, DOES THE COUNTY STILL NEED TO OBTAIN A PERPETUAL EASEMENT?

If your structure qualifies for relocation, the County will still need to obtain a perpetual easement for the portion of your property that lies between the landward toe of the dune and the ocean before the contractor can physically move your structure. You will be entitled to just compensation for the value of this perpetual easement in the same manner as other property owners from whom perpetual easements are required. Access to the portion of your property outside the easement area where the house will be relocated will also be necessary.

## IF MY HOUSE CAN BE RELOCATED, HOW WILL MY PROPERTY BE APPRAISED?

An appraisal will be obtained for your property whether you qualify for relocation or not. To save time, the appraisal will be ordered while relocation is under consideration. If you are contacted by an appraiser, it does not mean that a determination has been made concerning relocation.

If relocation is not possible, the approved appraisal will represent the full value of your property. If relocation is possible, the approved appraisal will state the full value of the perpetual easement. You will be offered the full approved appraised amount depending upon whether your structure will be relocated and a perpetual easement acquired or whether your property is purchased outright because relocation is not possible.

If you want your structure to be relocated, the amount of compensation for the perpetual easement must be agreed upon by both the property owner and the County, or relocation will not be possible.

## WHEN WILL MY HOUSE BE RELOCATED?

After the County and State demonstrate to the Corps that the necessary real estate interests have been obtained, the Corps will hire a contractor to perform the work. The house will be relocated from the beach prior to sand being placed for the dune and beach. It is not anticipated that relocation work will occur prior to the winter of 2015.

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